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117-126, 128 REMARKS 143

Claims 80-85, 94, 117-128, and 133-138 remain in this application. Claim 127 has been cancelled without prejudice. Claims 80, 82, 85, 117, 121, 124, 133, and 135 have been amended. Claims 139-143 have been added. The amended and added claims are supported by the specification and no new matter has been added. The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

### 35 U.S.C. §112 Rejection

The Examiner has rejected claim 127 under 35 U.S.C §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 127 has been cancelled without prejudice.

### 35 U.S.C. §103(a) Rejection Aldous In View Of Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure

The Examiner has rejected claims 80-85, 94, 117-128 and 133-138 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,183,404 issued to Aldous et al. (hereinafter referred to as "Aldous") in view of U.S. Patent No 4,944,698 issued to Siemon et al. ("Siemon"), U.S. Patent No. 4,241,974 issued to Hardesty ("Hardesty"), U.S. Patent No. 4,611,875 issued to Clark et al. ("Clark"), U.S. Patent No. 4,968,260 issued to Ingalsbe ("Ingalsbe") and Research Disclosure 31788 (Research Disclosure).

As amended, **claim 80** recites a device comprising "*a card body*" and "*a receptacle module to interface with a communications line, the receptacle module having a portion for removable insertion into the card body to form a unitary module*" and "*an overall length of the unitary module, in a configuration, that is substantially within the*

PCMCIA Type III standard'. Any combination of Aldous, Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure does not teach or suggest a unitary module having an overall length, in a configuration, that is substantially within the PCMCIA Type III standard.

Aldous does not teach or suggest a receptacle module having a portion for removable insertion into the card body to form a unitary module. The Examiner stated that it would have been obvious to modify Figure 7 of Aldous by forming parts 52, 54, 50, and 30 (the Applicants note that part 30 is not shown in Figure 7 but is shown in Figure 2) as a single unit that can be plugged into the socket 46 (see Office Action mailed Dec. 4, 2002). However, if the parts are combined as proposed by the Examiner, then the overall length would be significantly greater than the PCMCIA Type III standard length. The single unit having the RJ-11 socket 36 would plug into the socket 46 and would extend outside the housing of the computer as shown in Figures 8-9. Accordingly, such a modification would not satisfy the claim limitation that the overall length, in a configuration, is substantially within the PCMCIA Type III standard.

The proposed modification is apparently based on adapter use being well known as shown by Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure. Without admitting the appropriateness of combining Aldous with any one or more of these references, the Applicants respectfully point out that none of Siemon, Hardesty, Clark, Ingalsbe or Research Disclosure relate to adapters for cards that comply with a PCMCIA standard. There is no teaching or suggestion in these references, taken either alone or in combination, to modify Aldous such that an overall length, in a configuration, is substantially within the PCMCIA Type III standard. Accordingly, any combination of Aldous with Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure does not teach or suggest a unitary module having an overall length, in a configuration, that is substantially within the PCMCIA Type III standard.

For the foregoing reasons, Applicants submit that the Examiner has failed to establish a prima facie case of obviousness set forth in MPEP Section 706.02(j). Specifically, the Examiner has failed to show that “[t]he teaching or suggestion to make the claimed combination ... [is] found in the prior art, and not based on Applicant’s disclosure”, as required by *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

For at least these reasons, **claim 80** is believed to be allowable. **Claims 81-85, 94, and 117-123** depend from claim 80 and are believed to be allowable therefor, as well as for the recitations independently set forth therein.

As amended, **claim 133** recites a device comprising limitations similar to those discussed above for claim 80, and is believed to be allowable for similar reasons. **Claims 134-138** depend from claim 133 and are believed to be allowable therefor, as well as for the recitations independently set forth therein.

New **claim 139** recites a device comprising limitations similar to those discussed above for claim 80, and is believed to be allowable for similar reasons. **Claims 140-143** depend from claim 139 and are believed to be allowable therefor, as well as for the recitations independently set forth therein.

As amended, **claim 124** recites a device comprising “a card body” “a sliding drawer moveably coupled with the card body to open and retract” “a recess positioned in the sliding drawer to receive an RJ-xx series plug when the sliding drawer is open” and “a moveable bottom of the sliding drawer to move downward when the sliding drawer is open to receive the RJ-xx series plug”. Any combination of Aldous, Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure does not teach or suggest a sliding drawer having a moveable bottom to move downward when the sliding drawer is open to receive an RJ-xx series plug.

The Examiner stated that it would have been “*obvious to use Aldous fig. 8 card with RD (Research Disclosure) adapter formed with receiver having a moveable bottom in view of Aldous, fig. 20 at 160*” (see Office Action mailed April 7, 2003). However, Aldous does not teach or suggest a moveable drawer bottom. Figure 20 shows a pivot arm 154 to prevent passage of a plug 38 completely through an aperture 130. However, the pivot arm 154 is not a moveable drawer bottom.

The limitation of a moveable drawer bottom, which is not taught or suggested in Aldous, is also not taught or suggested in Siemon, Hardesty, Clark, Ingalsbe, Research Disclosure, or any combination thereof. Accordingly, without admitting the appropriateness of combining Aldous with any one or more of these references, the Applicants respectfully submit that claim 124 is allowable over any combination of Aldous with Siemon, Hardesty, Clark, Ingalsbe and Research Disclosure.

For the foregoing reasons, Applicants submit that the Examiner has failed to establish a prima facie case of obviousness set forth in MPEP Section 706.02(j). Specifically, the Examiner has failed to show that “[t]he teaching or suggestion to make the claimed combination ... [is] found in the prior art, and not based on Applicant’s disclosure”, as required by *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

For at least these reasons, **claim 124** is believed to be allowable. Claims 125-128 depend from claim 124 and are believed to be allowable therefor, as well as for the recitations independently set forth therein.

### **Conclusion**

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

### **Request For Telephone Interview**

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request For An Extension Of Time**

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

### **Charge Our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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